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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/089,226 | 03/28/2002 | Emmanuel Seurre | Q68983 | 2610 |

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| EXAMINER | |
|---|---|
| HALIYUR, VENKATESH N | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2616 | |

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/089,226 | SEURRE ET AL. | |
| | Examiner | Art Unit | |
| | Venkatesh Haliyur | 2616 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *28 March 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

1. Claims 1-9 are pending in the application. Applicant cancelled claims 10-11 in the preliminary amendment filed on 03/28/2002.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Chang et al [US Pub: 2001/0040883].

Regarding claim 1, Change et al disclosed in their invention of "Method and System for Interleaving of Full Rate Channels Suitable for Half Duplex Operation and Statistical Multiplexing" a method of transmitting data in packets in real time between a network and a mobile radio communication terminal **(Fig 1)** over a plurality of multi-frames **(Fig**

**3)** each including a given number of blocks, which method is characterized in that it dynamically allocates or attributes to the terminal or to each terminal concerned **(mobile station-MS, items 30 and 20 and Fig 1)** one or more dedicated uplink and/or downlink transmission **(uplink and downlinks for each MS, Fig 1)** signaling and/or control blocks independently of and separately from blocks allocated to the transfer of data **(para 0045-0046) [Figs 1-4, para 0001-0054].**

Regarding claim 2, Chang et al disclosed a method for a fixed allocation of blocks to a multi-frame or a set of multi-frames for transmitting signaling and control messages for the entire duration of a call or a given transmission sequence **[Figs 1-8, para 0045-0046, 0160-0183]**.

Regarding claims 3,4, Chang et al disclosed that the network reattributes have dedicated block or blocks allocated to signaling and/or control **(Figs 5-6)** during a call **(talk time)** or during a given transmission sequence of a call and further disclosed that the attribution of control blocks associated with packet transmission consists of allocating one uplink and/or downlink transmission block per multi-frame **(Fig 3)**, identified by its number in said multi-frame, on the same time slot as or a different time slot from the traffic channel **[Figs 1-10,21-28, para 0010-0139,0204-0351]**.

Regarding claims 5,6, Chang et al disclosed that one or more control blocks associated with packet transmission is or are attributed by indicating a multi-frame number **(Figs 20-23)** and one or more uplink and downlink transmission block numbers in said multi-frame in the same time slot as or a different time slot from the traffic channel and further disclosed that the control channel is shared between mobile

terminals **(para 0257)**, an indicator or an identification field is provided in the control block for identifying the mobile station **(ARI, access request identifier of mobile station)** sending or receiving multiplexed uplink and/or downlink transmission signaling blocks on said channel **[Figs 1-31, para 0010-0139,0204-0393]**.

Regarding claims 7,8 Chang et al disclosed that if control channel is shared between mobile stations, downlink transmission control blocks transmitted from the network to a given mobile terminal incorporate an identifier for identifying the destination mobile terminal of the block containing said signaling or control message **(ARI, access request identifier of mobile station, para 0257)** and further disclosed that transmission is to the GERAN standard **[Figs 1-31, para 0010-0139,0204-0393]**.

Regarding claims 9, Chang et al disclosed a cellular radio telecommunication network including geographically distributed fixed stations and mobile terminals that can communicate with each other for uplink transmission from the mobiles to the network and or downlink transmission from the network to the mobiles **(uplink and downlinks for each MS, Fig 1)**, said data being transmitted in real time in packets over multi-frames **(Fig 3)** each formed of a given number of blocks and each of which can be shared between mobile terminals **(mobile station, items 30 and 20 and Fig 1)**, which network is characterized in that each terminal is allocated or attributed one or more dedicated uplink and downlink transmission signaling and/or control blocks, independently of and separately from blocks allocated to the transfer of data **[Figs 1-31, para 0010-0393]**.

***Conclusion***

**4.** Any inquiry concerning this communication or earlier communications should be directed to the attention to Venkatesh Haliyur whose phone number is 571-272-8616. The examiner can normally be reached on Monday-Friday from 9:00AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached @ (571)-272-3139. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2600 or fax to 571-273-8300.

**5.** Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

Ajit Patel
Primary Examiner

Venkatesh Haliyur

Patent Examiner VH

06/09/2006